IN THE CLAIMS

Please cancel claims 1-13 without prejudice or disclaimer.

Please amend the claims as follows:

14. (amended) A method for operating a camera having a barrel and a plurality of optical elements, the method comprising:

moving the barrel along an optical axis between and including a plurality of photographic positions and at least one position in which no photograph can be taken;

positioning all of the optical elements along the optical axis when the barrel is in one of the plurality of photographic positions; and

positioning at least one optical element of the plurality of optical elements out of the optical axis and at least another optical element of the plurality of optical elements along the optical axis, such that at least a portion of the at least one optical element and at least a portion of the at least another optical element are located along a common plane which is generally perpendicular to the optical axis, when the barrel is in the at least one position in which no photograph can be taken.

23. (amended) A method for operating a camera having a barrel and a plurality of imaging elements, the method comprising:

moving the barrel along an optical axis between and including a plurality of photographic positions and at least one position in which no photograph can be taken;

positioning all of the imaging elements along the optical axis when the barrel is in one of the plurality of photographic positions; and

positioning at least one imaging element of the plurality of imaging elements out of the optical axis and at least another imaging element of the plurality of imaging elements along the optical axis, such that at least a portion of the at least one imaging element and at least a portion of the at least another imaging element are located along a common plane which is generally perpendicular to the optical axis, when the barrel is in the at least one position in which no photograph can be taken.

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant wishes to express his appreciation to Examiners Villecco and Garber for the interview of March 8, 2005. During the interview, Applicant's representative, Attorney William Boshnick, spoke to the Examiners concerning the rejected claims of the present application.

With respect to the provisional statutory double patenting rejection, Attorney Boshnick proposed canceling claims 1-13 from the present application in order to overcome this rejection.

With respect to the provisional non-statutory double-patenting rejection of claims 14-31 in view of claims 14-31 of copending application 10/815,194, Attorney Boshnick proposed submitting a terminal disclaimer once all of the claims of both applications have been indicated to be allowable.

With respect to the rejection of claims 14, 17, 19, 22, 23, 26, 28 and 31 under 35 U.S.C. § 102(b) in view of U.S. Patent No. 4,597,657 to WAKABAYASHI, Attorney Boshnick argued that WAKABAYASHI did not teach or suggest at least the features of "at least a portion of the at least one optical element and at least a portion of the at least another optical element are located along a plane which is generally perpendicular to the optical axis, when the barrel is in the at least one position in which no photograph can be taken" (as claimed in independent claim 14) or "at least a portion of the at least one imaging element and at least a portion of the at least another imaging element are located along a plane which is generally perpendicular to the optical axis, when the barrel is in the at least one position in which no photograph can be taken" (as claimed in independent claim 23). Specifically, Attorney Boshnick argued that the two elements 114, 174 (as shown in, *e.g.*, Fig. 10) of WAKABAYASHI are located along different planes that are generally perpendicular to the optical axis. The Examiners countered that, in the independent

claims, the limitation of two elements being "located along a plane which is generally perpendicular to the optical axis" could be interpreted to mean that each of the two elements is located along its own plane which is generally perpendicular to the optical axis. While Attorney Boshnick countered that one skilled in the art would readily understand from reading the claims that the only reasonable interpretation of the limitation "located along a plane which is generally perpendicular to the optical axis" is that the elements are located along the same (or common) plane, Attorney Boshnick agreed, solely in order to expedite the prosecution of the present application, to amend independent claims 14 and 23 to more clearly recite that the elements are along the same (or common) plane. The Examiners indicated that they agreed that such an amendment would overcome the applied WAKABAYASHI reference. Thus, in accordance with the Interview, Applicant has amended herein claims 14 and 23 to more clearly recite that the elements are along a common plane.